



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

5/035/0025

0004

May 21, 2009

CERTIFIED RETURN RECEIPT

7005 2570 0000 4801 6980

Craig Worthington
Worthington Landscape
6536 South 1300 West
Taylorsville, Utah 84123

Subject: Cessation Order MC2009-41-1, Worthington Landscape, Worthington Landscape Quarry, S/035/0025, Salt Lake County, Utah

Dear Mr. Worthington:

On March 23, 2009, the Division wrote and informed you of the need to replace your reclamation surety for the referenced mine site. The reclamation contract says you will provide a replacement surety within sixty days following the Division's receipt of the cancellation/termination notice and that failure to provide a replacement surety may result in an order to cease further mining activities and begin immediate reclamation. The Division received the cancellation notice on March 11, 2009. Sixty days from that date is May 10, 2009, and the Division has not received a replacement surety.

In accordance with the reclamation contract, please find enclosed with this letter a cessation order requiring either immediate cessation of all mining activities and reclamation of the site or a replacement surety. One or the other of these abatement requirements must be completed no later than June 4, 2009. Failure to do so may result in issuance of another cessation order, termed a "failure to abate cessation order," which carries a fine of \$750.00 per day.

If you have questions about this letter, please contact me at (801) 538-5261.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:vs

cc: Susan Torbeck, The Cincinnati Insurance Companies, P. O. Box 145496, Cincinnati, Ohio 45250-5496
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Cessation Order ☒ No. MC2009-41-1

CERTIFIED RETURN RECEIPT # 7005 2570 0000 4801 6980

To the following Permittee or Operator:

Permittee/Operator Name: Craig Worthington dba Worthington Landscape

Mine Name: Worthington Landscape

☒ Surface

☐ Underground

☐ Other

County: Salt Lake

State: Utah

Telephone Number: 801-268-2111

Business Address: 6536 South 1300 West, Taylorsville, Utah 84123

Permit Number: S/035/0025

Ownership Category: ☐ State

☐ BLM

☐ USFS

☒ Fee

☐ Other

Date of Inspection: No site inspection performed

Time: _____

☐ a.m.

☐ p.m.

to _____

☐ a.m.

☐ p.m.

Under authority of the Utah Mined Land Reclamation Act, Section 40-8-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas, and Mining has conducted an inspection of above mine on above date and has found that a Notice of Violation or Cessation Order must be issued with respect to the conditions, practices, or violations listed. In accordance with Section 40-8-9, *Utah Code Annotated*, you are ordered to cease immediately the operations or activity described and to perform the required actions described within the designated time for abatement.

The undersigned representative finds that this order ☒ does require cessation of all mining;

☐ does not require cessation of all mining.

For this purpose, "mining" means development of, or extraction of a mineral deposit, including transportation within or from the mine site, concentrating, milling, evaporation, or other processing. Mining and/or reclamation operations not directly the subject of this order shall continue while this order is in effect. You are responsible for doing all work in a safe and workmanlike manner.

This order shall remain in effect until it is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas, and Mining.

Date of service/mailling: May 21, 2009

Time of service/mailling 10:30 ☒ a.m. ☐ p.m.

Craig Worthington

Permittee or Operator Representative

Title

Signature

Paul B. Baker

Division of Oil, Gas & Mining Representative

Minerals Program Manager

Title

Signature

SEE REVERSE SIDE



Notice of Violation / Cessation Order NO.

Violation No. 1 of 1

Page 3 of 3

Nature of condition, practice, or violation:

Failure to maintain an adequate reclamation surety.

Provisions of act, regulations, or permit violated:

R647-3-102, R647-3-111.1.11

(Check box if appropriate:)

- ☐ Condition, practice, or violation is creating an imminent danger to health or safety of the public.
- ☐ Permittee/Operator is/has been conducting mining activities without a permit.
- ☐ Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.
- ☐ Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. or Cessation Order No. M _____ within time for abatement originally fixed or subsequently extended.

Mining activity to be ceased immediately:

All mining activity must be ceased immediately.

Affirmative obligation(s) or required action and abatement time (if applicable):

The mine site must be regraded and seeded no later than June 4, 2009. Alternatively, by June 4, 2009, the operator must provide a replacement reclamation surety.

PB

cc: DOGM

Craig Worthington

Susan Torbeck, The Cincinnati Insurance Companies, P. O. Box 145496, Cincinnati, Ohio 45250-5496

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